

REMARKS

In view of the above amendments and the following remarks, reconsideration of the rejections and further examination are respectfully requested.

Independent claims 26, 38, 46, 48, and 49 have been amended to include new features. Dependent claims 29 and 41 have been amended to remain consistent with amended independent claims 26 and 38. In addition, new claim 50 has been added to further define the features of independent claim 26.

Independent claims 26, 38, 46, 48, and 49 were rejected under 35 U.S.C. § 103(a) as being anticipated by Russo et al. (US 2003/30115490) in view of Croome et al. (U.S. 2004/0014423) and further in view of Shirai (U.S. 6,763,249). Further, dependent claims 27-37, 39-45, and 47 were rejected under 35 U.S.C. § 103(a) as being unpatentable over various combinations of Russo, Croome, Shirai, Fujii (U.S. 6,832,721), and Bishop (U.S. 2002/0065106). It is respectfully submitted, for the reasons discussed below, that claims 26-50 are patentable over the Russo, Croome, Shirai, Fujii, and Bishop references.

Amended independent claim 26 recites a portable apparatus for connecting to a terminal apparatus, the portable apparatus including, in part, a judgment unit, and a reception unit. Further, claim 26 recites that upon the detection of a connection of the portable apparatus to the terminal apparatus, the judgment unit is configured to (1) obtain a time difference, which is a difference between a time at which the connection was detected and a prestored time at which a prior connection was detected, the time at which the connection was detected being obtained from the terminal apparatus, and the prestored time at which the prior connection was detected being a time previously obtained, and (2) obtain a place difference, which is a difference between a place at which the connection was detected and a prestored place at which a prior connection was detected, the place at which the connection was detected being obtained from the terminal apparatus, and the prestored place at which the prior connection was detected being a place previously obtained. Finally, claim 26 recites that (3) the reception unit is configured to request authentication information from the user of the portable apparatus if the judgment unit judges that one or both of the obtained time/place difference is greater than or equal to a predetermined value.

Initially, it is noted that Russo, as acknowledged by the Examiner, does not disclose or suggest the features of the judgment unit, as required by claim 26. Thus, the Examiner relies on the Croome reference for teaching the obtaining of a time difference and the Shirai reference for teaching the storing of times of a prior connection, as required by claim 26. It is respectfully submitted that the Croome and Shirai references do not disclose or suggest the above-mentioned features (1)-(3) of the judgment unit, as required by claim 26, for the reasons discussed below.

Rather, Croome teaches establishing a wireless connection between a wireless notebook and a stationary desktop, wherein the wireless notebook monitors and stores past and present wireless connection times of the wireless notebook and/or the stationary desktop (see paragraph [0116], lines 2-4). Further, Croome teaches that the wireless notebook (i.e., the portable device) judges whether a password is required from the stationary desktop in order to authenticate the wireless connection of the stationary desktop to the wireless notebook (see paragraph [0116], lines 11-14).

Thus, it is clear that Croome teaches that the wireless notebook (i.e., portable device) monitors and stores the past and present connection times, but does not disclose or suggest that the judgment unit of the portable apparatus obtains the time that the connection was detected from the terminal apparatus, as required by claim 26. In other words, Croome teaches that the portable device itself monitors the connection times, but does not disclose or suggest that the connection time obtained by the portable apparatus is obtained from the terminal apparatus.

Further, it is clear that Croome teaches that the portable device judges whether a password is required from the stationary desktop, but does not disclose or suggest that the reception unit of the portable apparatus requests an authentication from the user of the portable apparatus, as required by claim 26. In other words, Croome teaches that the portable device authenticates the stationary desktop, but does not disclose or suggest that the portable device authenticates a user of the portable device.

In addition, it is clear that Croome teaches that the connection times are monitored and stored by the portable device, but does not disclose or suggest obtaining a place at which the connection was detected, as required by claim 26. Therefore, for the

reasons discussed above, it is clear that Croome does not disclose or suggest the above-mentioned features of the judgment unit and the reception unit recited in claim 26.

The Shirai reference, cited by the Examiner for teaching storing connection times, teaches that a cellular phone stores insertion/removal information each time a SIM card is inserted/removed from the cellular phone (see col. 5, lines 45-55), wherein the insertion/removal information is obtained from the cellular phone, the insertion/removal information is stored in the memory of the cellular phone, and the stored insertion/removal information may only be date or time information (see col. 3, lines 41-45).

Thus, it is clear that Shirai does not disclose or suggest the portable apparatus which obtains and stores the time of the connection from the terminal apparatus (i.e., one device obtains and another device stores), as required by claim 26. Further, it is clear that Shirai does not disclose or suggest obtaining and storing a place at which the connection was detected, as required by claim 26. Therefore, for the reasons discussed above, it is clear that Shirai does not disclose or suggest the above-mentioned features of the judgment unit and the reception unit recited in claim 26.

Thus, it is respectfully submitted that the Russo, Croome, and Shirai references, individually do not anticipate the invention as recited independent claim 26. Furthermore, the Russo, Croome, and Shirai references, individually or collectively, do not suggest the above-discussed limitations of claim 26. Therefore, it would not have been obvious to one of ordinary skill in the art to modify the above-mentioned references so as to obtain the invention of claim 26. Accordingly, it is respectfully submitted that independent claim 26 and claims 27-37 and 50 which depend therefrom are clearly allowable over the Russo, Croome, and Shirai references.

Regarding Fujii and Bishop, these references do not disclose or suggest any of the above-discussed features of independent claim 26 which are lacking from the Russo, Croome, and Shirai references. As a result, the above-mentioned references, individually or collectively fail to disclose or suggest each feature recited in independent claim 26.

Independent claims 38, 46, 48, and 49 recite a system, a terminal apparatus, a method for using a portable recording apparatus, and a program for using a portable recording apparatus, respectively, wherein the judging (or judgment unit) operates in a

similar manner as recited in independent claim 26. Accordingly, claims 38, 46, 48, and 49 each includes limitations that are similar to the distinguishing limitations of claim 26, as discussed above. Thus, for reasons similar to those discussed above, it is respectfully submitted that independent claims 38, 46, 48, and 49 and the claims that depend therefrom are allowable over the Russo, Croome, Shirai, Fujii, and Bishop references.

In view of the above amendments and remarks, it is submitted that the present application is now in condition for allowance and an early notification thereof is earnestly requested. The Examiner is invited to contact the undersigned by telephone to resolve any remaining issues.

Respectfully submitted,

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